

General Requirements

Amend Section 31-002(v) to read:

31-002 DEFINITIONS (Continued)

31-002

(v) (1) "Visit" means a face-to-face contact between:

- (A) ~~A social worker or other person authorized by the Division 31 regulations to make visits with the child, the child's family, and/or the out-of-home care provider; or~~
As authorized by MPP 31-320, a social worker, probation officer, foster family agency social worker, or caseworker in another State under the ICPC who has case management responsibilities for the child, the child's family, and/or the out-of-home care provider; or
- (B) (Continued)

Authority Cited: Sections 10553, 10554, and 10850.4, Welfare and Institutions Code and Assembly Bill 1695, Section 21.

Reference: Sections 300, 300(c), 300(e), 306(b), 309(d), 319, 319(f), 727, 11402, and 16507.5(b) (as amended by AB 1695, Chapter 653, Statutes of 2001), 361, 361.2, 361.2(h), 361.3, 361.3(a)(8), ~~361.4(a)(3)(A), (b), and (c)~~, 362.7, 366.22, 366.3(e)(4) and (e)(8), 391, 636.1(c), 706.6(o), 727, 727.2, 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 10553, 10554, 10850.4, 11100, 11105, ~~11108.15~~, 11155.5, 11400(a), 11402, 11404, 11467.1, 16001.5, 16001.9, 16010, ~~16012~~, and 16501, 16501(a)(3), ~~16501.1(e)(9)~~, 16501.1(f)(7), 16503, 16504, 16506, 16506(c), 16507.5(b), 16516.5, 16520, 16521, 17736, and 18951(d), Welfare and Institutions Code; Section 11165 et seq., Penal Code; Section 265, Civil Code; 42 U.S.C. Section 675; Sections 1502, 1502(a)(8), ~~1505.2 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997)~~, 1522, 1522.06, and 1530.8, Health and Safety Code; ~~45 CFR 233.120~~; 42 U.S.C. 675(5); Sections 7002, 7901, 7911, 7911.1, and 7912, Family Code; Public Law 105-89 (Adoption and Safe Families Act of 1977), and Rule 5.552 of the California Rules of Court.

Amend Section 31-003(s) to read:

31-003 DEFINITIONS -- FORMS (Continued)

31-003

- (s) (1) SOC 154 (Rev. 6/00) Agency – Group Home Agreement, hereby incorporated by reference, is used as a contract between the county placing agency and a group home when placing a child with the group home.
- (2) SOC 154A (Rev. 2/10) Placement Agency – Foster Family Agency Agreement, hereby incorporated by reference, is used as a contract between the county placing agency and a foster family agency when placing a child with a foster family agency.
- (3) SOC 156 (Rev. 8/99) Agency – Foster Parents Agreement Child Placed by and Agency in a Foster Family Home, hereby incorporated by reference, is used as a contract between the county placing agency and a foster family home when placing a child with a foster family home.
- (4) SOC 160 (Rev. 2/10) Foster Family Placement Agency (FFA) CWS/CMS Contact/Service Delivery Log, hereby incorporated by reference, is used for Foster Family Agencies to report visit information to the county placing agency.

~~(1)~~(5)(Continued)

~~(2)~~(6)(Continued)

~~(3)~~(7)(Continued)

~~(4)~~(8)(Continued)

Authority Cited: Sections 10553, 10554, and 10850.4, Welfare and Institutions Code.

Reference: *Gomez v. Saenz* Settlement Agreement and Court Order, Case No: BC284896; Section 11169, Penal Code and Sections 827 and 10850.4, Welfare and Institutions Code and 42 USC 5106.

Amend Section 31-075.3 to read:

31-075 CASE RECORDS (Continued)

31-075

.3 (Continued)

(b) Documentation of all contacts with the child, family, or other individuals regarding the child or family. All contacts shall be documented including those made by a social worker employed by a Foster Family Agency, by a probation officer, or by a social worker in another State performing the visit pursuant to the ICPC.

(c) (Continued)

(s) (Continued)

(9) Agency-Foster Family Agency Agreement.

(910) (Continued)

(t) (Continued)

Authority Cited: Sections 10553, 10554, 16002, and 16501, Welfare and Institutions Code and Assembly Bill 1695, Section 21.

Reference: Sections 319, 361.3, 361.5, and 366.21 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 366.26(c), 16002, 16501, ~~and 16501.1(e)(8), and (e)(9) (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997),~~ and Sections 309(d), 319, 361.2, 727, 11402, and 16507.5(b), (as amended by Assembly Bill 1695, Chapter 653, Statutes of 2001), Welfare and Institutions Code; 45 CFR 1356.21(d); and Section 11170(b), Penal Code.

Assessment and Case Plan

Amend Section 31-206.24 to read:

31-206 CASE PLAN DOCUMENTATION (Continued) 31-206

.2 (Continued)

.24 (Continued)

.241 (Continued)

~~.242 The social worker shall document in the case plan the justification for exceptions to visit or contact requirements that are approved by the court or county deputy director pursuant to Sections 31-320.6 and 31-325.4.~~

.3 (Continued)

Authority Cited: Sections 10553, 10554, and 16501.1, Welfare and Institutions Code; and Section 17552, Family Code; and Public Law 109-288.

Reference: Sections 358.1(e), 361, 361(b), 361.5, 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 16002, 16501, 16501.1(e), and 16507, Welfare and Institutions Code; 42 U.S.C. Sections 675(1) and 677; Sections 7901, 7911, 7911.1, 7912, and 17552, Family Code; and Sections 1502 and 1502(a)(8), Health and Safety Code; and Public Law 109-288.

Service Delivery

Amend Section 31-320 to read:

31-320 SOCIAL WORKER/PROBATION OFFICER CONTACTS WITH CHILD 31-320

.1 (Continued)

HANDBOOK BEGINS HERE

- ~~—.11 The purpose of social worker contact with the child is to achieve the following objectives:~~
- ~~—.111 Verify the location of the child, monitor the safety of the child, assess the child's wellbeing, and assist the child in preserving and maintaining religious and ethnic identity.~~
- ~~—.112 Gather information to assess the effectiveness of services provided to meet the child's needs, to monitor the child's progress, and to meet identified goals.~~
- ~~—.113 Establish and maintain a helping relationship between social worker and child to provide continuity and stability point for the child.~~
- ~~—.114 Solicit the child's input on his/her future. Inform the child as to current and future placement plans and progress, and discuss these plans and progress with the child.~~

HANDBOOK ENDS HERE

.2 (Continued)

.3 (Continued)

.31 (Continued)

.312 (Continued)

- (a) The social worker shall ensure that ~~verbal or~~ written reports are received and documented in the case record.

.4 The majority of visits with the child in each calendar year shall take place in the child's foster home/placement.

.41 Whenever possible and practicable, the social worker shall visit the child alone and in a quiet and private setting.

.5 The purpose of social worker contact with the child is to assess the safety and well being of the child and to achieve the following objectives:

.51 Verify the location of the child.

.52 Monitor the child's physical, emotional, social, and educational development.

.53 To the extent possible, engage and involve the child and the caregiver in the development of the case plan.

.54 Gather information about the child to identify needed services to be included in the case plan and monitor the effectiveness of those services provided to meet the child's needs.

.55 Ensure the child is able to maintain a relationship with siblings, relatives, and adults who are important to the child.

.56 Assist the child in preserving and maintaining religious and ethnic identity.

.57 Establish and maintain a helping relationship between social worker and child to provide continuity and a stability point for the child.

.58 Solicit the child's input on his/her future and to inform the child as to current and future placement plans and progress, and discuss these plans and progress with the child.

.59 Evaluate and assess the child's educational needs and progress and the potential need for special educational services such as an Individual Education Plan.

.46 (Continued)

.461 (Continued)

.4611 The social worker shall be permitted to have less frequent visits, ~~up to a minimum of~~ no less than necessary to ensure the safety and well being of the child as specified in 31-320.3. In no case shall the visits be less frequent than once every ~~three~~ six calendar months, ~~only if all of the provided~~ the following criteria are met and documented in the case plan, and written supervisory approval has been obtained:

(a) (Continued)

(b) The child has been in the same placement for at least six months and the social worker has determined that the placement is stable.

(c) ~~Subsequent to development of the case plan, and prior to any exception, the child has been visited in three of the most recent four consecutive months.~~

The child is visited once each calendar month by social worker staff of a foster family agency provided they meet the minimum qualifications at Title 22, Section 88065.3 and are providing services pursuant to a case plan. A written placement agreement, on the form prescribed by the CDSS, shall be required between the foster family agency and the county and documented in the case record.

~~(d) The case record documents the existence of at least one of the following circumstances:~~

~~(1) The child is placed with a relative.~~

~~(2) The child is placed with a foster parent who has provided continuous care for the child for a minimum of 12 months.~~

~~(3) The child is placed voluntarily and the parent(s)/guardian(s) identified in the case plan is making visits at least monthly.~~

~~(4) The child is under two years of age and less frequent social worker child visits would facilitate reunification by permitting more frequent social worker parent/guardian visits.~~

~~(5) The child is visited monthly by one or more of the following service providers providing services pursuant to the case plan; and there is a verbal or written agreement, documented in the case record, that such service providers will provide contact reports to the social worker:~~

~~(A) Other social services staff of the county.~~

~~(B) Staff of another services agency.~~

~~(C) A physician or other health professional.~~

~~(6) The child is not placed in a group home or community treatment facility.~~

~~(ed) The social worker shall ensure that verbal or written reports of at least one month visit are is received and documented in the CWS/CMS case record.~~

~~.412 The social worker shall be permitted to have less frequent visits, up to a minimum of once every six consecutive calendar months, if the child is receiving permanent placement services and one of the following criteria is met and written supervisory approval has been obtained:~~

~~(a) The dependent child has been placed with a legal guardian, or foster family home and all of the following conditions have been met:~~

- ~~(1) The child has been in the placement for at least six consecutive months.~~
 - ~~(2) The child has no serious emotional problems caused or aggravated by the placement situation, and the social worker has determined that the placement has stabilized.~~
 - ~~(3) The out of home care provider is cooperative in carrying out the case plan.~~
 - ~~(4) The child is attending school, day treatment, or a licensed day care facility regularly or is being assisted to achieve self-maintenance as specified in a written transitional independent living plan.~~
- ~~(b) The child has been placed with a relative and the conditions specified in Sections 31-320.412(a)(1) through (3) have been met.~~
- ~~(c) The child is visited monthly by one or more of the following service providers providing services pursuant to the case plan and there is a verbal or written agreement, documented in the case record, that such service providers will provide contact reports to the social worker:~~
- ~~(1) Other social services staff of the county.~~
 - ~~(2) Staff of another services agency.~~
 - ~~(3) A physician or other health professional.~~
- ~~(d) The social worker shall ensure that verbal or written reports are received and documented in the case record.~~

~~.413612 (Continued)~~

~~.414613 (Continued)~~

~~.57 The minimum visitation requirements for all services by the county social worker/probation officer are not applicable under the following circumstances:~~

~~.571 The child has an approved case plan, and is a dependent or ward of the court and either:~~

~~.52 The child is a dependent of the court, and~~

.53711 The child's whereabouts are unknown and the court has been informed. The county social worker/probation officer must attempt to locate the child and document those attempts in the case record. The social worker must confirm and document in the child's case record that the child's whereabouts are unknown once every 30 days from the date the child's whereabouts became unknown of the initial discovery, or

.54712 (Continued)

~~.6—Additional exceptions to the visitation requirement up to a minimum of once every six calendar months shall be permitted, for placements other than a group home or community treatment facility, only in the following circumstances:~~

~~.61—For court supervised cases, court approval of a specific visitation plan.~~

~~.62—For voluntary cases, county deputy director approval of a specific visitation plan.~~

~~.7—Repealed by Manual Letter No. CWS 94-01, effective 4/8/94.~~

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: 42 U.S.C. Sections 675 and 677; Sections 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 10553, 11008.15, 11155.5, 16501(a), 16501.1(b), (d), and (f)(4), 16504, and 16516.5, Welfare and Institutions Code; Sections 7901, 7911 and 7911.1, Family Code; and Sections 1502 and 1502(a)(8), Health and Safety Code.

Special Requirements

Amend Section 31-505 to read:

31-505 OUT-OF-COUNTY PLACEMENTS 31-505

.1 Out-of-county placements shall be subject to the provisions of Welfare and Institutions Code Sections 361.2(e~~f~~) and (d~~g~~).

.11 (Continued) HANDBOOK

.12 (Continued)

.123 (Continued)

(a) (Continued)

(i) These responsibilities include, but are not limited to, complying with monthly visitation requirements as specified in 31-320.

(b) The receiving county shall provide ~~periodic~~ quarterly written reports to the sending county on the child's condition and progress in order to facilitate required case plan updates. The quarterly written reports shall also document all social worker visits conducted with the child.

(c) (Continued)

(d) (Continued)

(e) The receiving county shall document all social worker visits with the child in the CWS/CMS system on a monthly basis.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 361.2(c) and (d), Welfare and Institutions Code.

Amend Section 31-510 to read:

31-510 INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN 31-510
(ICPC) (Continued)

.39 As specified in 31-075.3(b), the California sending agency shall document all visits in CWS/CMS reported and made to a California child by caseworkers in the receiving state performing visits pursuant to the ICPC.

.4 (Continued)

.434 (Continued)

(b) The receiving state agency shall provide written reports to the sending state agency on the child's condition and progress ~~to facilitate required ease plan updates in accordance with Section 31-320.414.~~ The receiving state shall include in its written report all visits by the receiving state's caseworker with the child.

.435 (Continued) HANDBOOK

.49 As specified in 31-075.3(b), the California sending agency shall document in CWS/CMS all visits made to a child by the California agency to the out-of-state group home pursuant to Welfare and Institutions Code, Section 16501.1(f)(4) and MPP 31-320.414.

.5 (Continued)

.9 The California receiving agency shall be responsible for complying with the visit requirements as specified in applicable provisions of the ICPC for all out-of-state children placed in California pursuant to the ICPC.

.91 The California receiving agency shall provide the sending state with written supervision reports in compliance with the ICPC.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 7901, 7911, 7911.1, and 7912, Family Code and Sections 361.2(c), 361.2(d), 361.21, 727.1, and 16516.5, Welfare and Institutions Code.